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U.S. Bureau of Fisheries

Protection of walruses and sea lions in Alaska

Washington

[1934]

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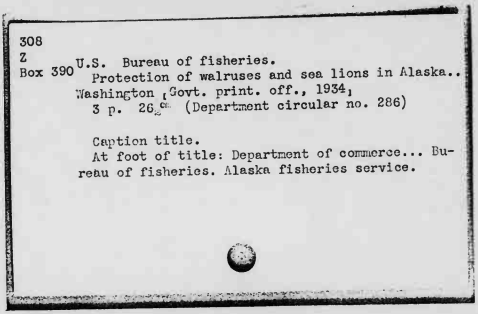

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Washington [Govt. print. off., 1934]
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TECHNICAL MICROFORM DATA

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PROTECTION OF WALRUSES AND SEA LIONS IN ALASKA

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DEPARTMENT OF COMMERCE
OFFICE OF THE SECRETARY
WASHINGTON

DEPARTMENT CIRCULAR No. 286
SEVENTH EDITION [1]

BUREAU OF FISHERIES
ALASKA FISHERIES SERVICE

July 1, 1934.

TO WHOM IT MAY CONCERN:

Attention is directed to the following extracts from acts for the protection of walruses and sea lions in Alaska, approved May 11, 1908, May 31, 1920, and June 16, 1934, together with the regulations of the Department which hereby become effective. Persons concerned or interested in these matters and officers of the Department charged with the enforcement of these laws and regulations should familiarize themselves with their provisions.

EXTRACT FROM ALASKA GAME LAW, APPROVED MAY 11, 1908

From and after the passage of this Act the wanton destruction of wild game animals, * * * for the purposes of selling the same or the skins or any part thereof, except as hereinafter provided, is hereby prohibited.

Game defined.—The term "game animals" shall include * * * walrus.

Exemptions.—Nothing in this Act shall affect any law now in force in Alaska relating to the fur seal, sea otter, or any fur-bearing animal or prevent the killing of any game animal * * * for food or clothing at any time by natives, or by miners or explorers, when in need of food; but the game animals * * * so killed during close season shall not be shipped or sold.

SEC. 2. *Season.*—That it shall be unlawful for any person in Alaska to kill any wild game animals or birds, except during the season hereinafter provided: North of latitude sixty-two degrees, * * * walrus * * * from August first to December tenth, both inclusive; * * * *and provided further*, That the Secretary of Commerce [2] is hereby authorized, whenever he shall deem it necessary for the preservation of game animals, * * * to make and publish rules and regulations prohibiting the sale of any game in any locality, modifying the close seasons hereinbefore established, providing different close seasons for different parts of Alaska, placing further restrictions and limitations on the killing of such animals * * * in any given locality, or prohibiting killing entirely for a period not exceeding two years in such locality.

SEC. 3. *Number.*—That it shall be unlawful * * * for any one person to kill in any one year more than * * * one walrus * * *.

Guns and boats.—That it shall be unlawful for any person at any time to hunt with dogs any of the game animals specified in this Act; to use a shotgun larger than number ten gauge, or any gun other than that which can be fired from the shoulder; or to use steam launches or any boats other than those propelled by oars or paddles in the pursuit of game animals * * *.

SEC. 4. *Sale.*—That it shall be unlawful for any person or persons at any time to sell or offer for sale any hides, skins, or heads of any game animals * * * in Alaska, or to sell, offer for sale, or purchase, or offer to purchase, any game animals * * * , or parts thereof, during the time when the killing of such animals * * * is prohibited: *Provided*, That it shall be lawful for dealers having in possession game animals * * * legally killed during the open season to dispose of the same within fifteen days after the close of said season.

SEC. 5. *Licenses.*—That it shall be unlawful for any nonresident of Alaska to hunt any of the game animals protected by this Act, * * * without first obtaining a hunting license, * * * and such license shall not be transferable and shall be valid only during the calendar year in which issued. Each applicant shall pay a fee of one hundred dollars for such license, unless he be a citizen of the United States, in which case he shall pay a fee of fifty dollars.

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[1] The seventh edition of this circular supersedes previous editions.

[2] "Secretary of Agriculture" changed to "Secretary of Commerce" whenever it occurs in this act, in accordance with the act of May 31, 1920; transferring jurisdiction over walruses and sea lions to the Secretary of Commerce.

A resident of Alaska desiring to export heads or trophies of any of the game animals mentioned in this Act shall first obtain a shipping license, * * *. Not more than one general license * * * shall be issued to any one person in one year: *Provided*, That before any trophy shall be shipped from Alaska under the provisions of this Act the person desiring to make such shipment shall first make and file with the customs office at the port where such shipment is to be made an affidavit to the effect that he has not violated any of the provisions of this Act; that the trophy which he desires to ship has not been bought or purchased and has not been sold and is not being shipped for the purpose of being sold, and that he is the owner of the trophy which he desires to ship * * *. Any affidavit required by the provisions of this Act may be subscribed and sworn to before any customs officer or before any officer competent to administer an oath.

The governor of Alaska is hereby authorized to issue licenses for hunting and shipping big game. On issuing a license he shall require the applicant to state whether the heads or trophies to be obtained or shipped under said license will pass through the ports of entry at Seattle, Washington, Portland, Oregon, or San Francisco, California, and he shall forthwith notify the collector of customs at the proper port of entry as to the name of the holder of the license and the name and address of the consignee. * * * And the governor shall annually make a detailed and itemized report to the Secretary of Commerce, in which he shall state the number and kind of licenses issued, * * * which report shall also include a full statement of all trophies exported and all animals * * * exported for any purpose.

SEC. 6. Nothing in this Act shall be construed to prevent the collection of specimens for scientific purposes, the capture or shipment of live animals * * * for exhibition or propagation, or the export from Alaska of specimens under permit from the Secretary of Commerce, and under such restrictions and limitations as he may prescribe and publish.

It shall be the duty of the collector of customs at Seattle, Portland, and San Francisco to keep strict account of all consignments of game animals received from Alaska, and no consignment of game shall be entered until due notice thereof has been received from the governor of Alaska or the Secretary of Commerce, and found to agree with the name and address on the shipment. In case consignments arrive without license they shall be detained for sixty days, and if a license be not then produced said consignments shall be forfeited to the United States and shall be delivered by the collector of customs to the United States marshal of the district for such disposition as the court may direct.

SEC. 7. *Penalties.*—That any person violating any of the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall forfeit to the United States all game * * * in his possession, and all guns, traps, nets, or boats used in killing or capturing said game * * *, and shall be punished for each offense by a fine of not more than two hundred dollars or imprisonment not more than three months, or by both such fine and imprisonment, in the discretion of the court. Any person making any false or untrue statements in any affidavit required by this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall forfeit to the United States all trophies in his possession, and shall be punished by a fine in any sum not more than two hundred dollars or imprisonment not more than three months, or by both such fine and imprisonment, in the discretion of the court.

Enforcement.—It is hereby made the duty of all marshals and deputy marshals, collectors or deputy collectors of customs, all officers of revenue cutters, and all game wardens to assist in the enforcement of this Act. Any marshal, deputy marshal, or warden in or out of Alaska may arrest without warrant any person found violating any of the provisions of this Act or any of the regulations herein provided, and may seize any game * * * hides, and any traps, nets, guns, boats, or other paraphernalia used in the capture of such game * * * and found in the possession of said person in or out of Alaska, and any collector or deputy collector of customs, or warden, * * * or any person authorized in writing by a marshal shall have the power above provided to arrest persons found violating this Act or said regulations and seize said property without warrant to keep and deliver the same to a marshal or a deputy marshal. It shall be the duty of the Secretary of the Treasury, upon request of the governor or Secretary of Commerce, to aid in carrying out the provisions of this Act.

EXTRACT FROM AGRICULTURAL APPROPRIATION ACT APPROVED MAY 31, 1920

The powers and duties conferred upon the Secretary of Agriculture by existing law, with respect to walruses * * *, are hereby conferred upon, and shall be exercised by the Secretary of Commerce: *Provided*, That nothing in this Act shall affect the powers and duties conferred upon the Secretary of Commerce by existing law, proclamations, or Executive orders with respect to fur seals and sea otters, and jurisdiction over the Pribilof Islands and the fur-bearing animals thereon; and hereafter the wardens and other officers heretofore or hereafter appointed by the Secretary of Agriculture for the protection of bird reservations in Alaska under the control of the Department of Agriculture, or for the protection of fur-bearing animals in Alaska, shall have and exercise like authority and powers in the performance of their respective duties as are conferred upon game wardens by the

Alaska game law of May 11, 1908 (Thirty-fifth Statutes at Large, page 102), and by existing law upon officers and agents of the Department of Commerce employed in the salmon fisheries and fur-seal and sea-otter services in Alaska.

REGULATION GOVERNING THE KILLING OF WALRUSES

The following regulation governing the killing of walruses is hereby promulgated:

WALRUSES

The killing of walruses in the Territory of Alaska or in any of the waters of Alaska over which the United States has jurisdiction is prohibited from July 1, 1934, to June 30, 1936, both dates inclusive. This prohibition shall not apply to the killing of walruses by natives for food or clothing, by miners or explorers when in need of food, or to the collection of specimens for scientific purposes under permits issued by the Secretary of Commerce.

ALASKA SEA LION ACT APPROVED JUNE 16, 1934

All acts and parts of acts making it unlawful to kill sea lions, as tame animals or otherwise, in the waters of the Territory of Alaska are repealed: *Provided, however*, That sea lions shall not be killed in the waters of Alaska except under such rules and regulations as the Secretary of Commerce may prescribe, in order to prevent the extinction of sea lions as a species of interesting sea life in the waters of Alaska.

REGULATIONS GOVERNING THE KILLING OF SEA LIONS IN THE WATERS OF ALASKA

The killing of sea lions in the Territory of Alaska, or in any of the waters of Alaska over which the United States has jurisdiction, is permitted as follows:

1. (*a*) By natives for food or clothing, and by miners or explorers when in need of food.

(*b*) By anyone in the necessary protection of property, or while such animals are destroying salmon or other food fish.

2. The killing of sea lions as specimens for scientific purposes will be under permits issued by the Secretary of Commerce.

JOHN DICKINSON,
Acting Secretary of Commerce.

U.S. GOVERNMENT PRINTING OFFICE: 1934

MSH 24744

END OF
TITLE